

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

IN RE:	*	
	*	CASE NO. 13-07403/MCF
NEYSHA MARYD FONSECA MARCANO	*	
	*	CHAPTER 7
DEBTOR	*	

**DEBTOR'S MOTION FOR REOPENING OF CASE UNDER 11 U.S.C. §350(b)
AND REQUEST FOR ENTRY OF ORDER OF DISCHARGE**

TO THE HONORABLE COURT:

COMES NOW, **NEYSHA MARYD FONSECA MARCANO**, debtor in the above captioned case, through the undersigned attorney, and very respectfully states and prays as follows:

1. On September 8, 2013, the debtor filed a petition for relief under Chapter 13, of Title 11 U.S.C. §§1301, *et seq.*, in the above captioned case. On February 11, 2014, the debtor's Chapter 13 case was converted to a case under Chapter 7, 11 U.S.C. §§701, docket no. 36.

2. On April 4, 2014, the appointed Trustee Wigberto Lugo Mender, Esq., filed a *Notice of Abandonment*, docket no. 53, and a *Report of No Distribution*, docket no. 54.

3. On May 19, 2014, the Clerk of the Court gave notice of intent to close the above captioned Chapter 7 case without entry of discharge for debtor having failed to file a certification of completion of instructional course concerning personal financial management (Official Form 23) which was due sixty (60) days after the first scheduled 341 meeting of creditors. *Notice of Intent to Close Chapter 7 Bankruptcy Case Without Entry of Discharge Due to Failure of Debtor to File Financial Management Course Certificate*, docket no. 62.

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4. On June 3, 2014, this Honorable Court issued an Order Discharging Trustee and Closing the Estate, docket no. 64.

5. However, on June 4, 2014, the debtor did file the required certificate of completion of instructional course concerning personal financial management (Official Form 23), docket no. 65.

6. Under Section 350(b) of the Bankruptcy Code, 11 U.S.C. §350(b), a debtor may request by motion that the court reopen a case to accord relief to the debtor or for other cause. 11 U.S.C. §350(b), Rules 5009 and 5010 of the Federal Rules of Bankruptcy Procedure and P.R.-LBR 5010-1 of the Puerto Rico Local Bankruptcy Rules.

7. The debtor respectfully submits that she has files the certificate of completion of instructional course concerning personal financial management and respectfully requests this Honorable Court to reopen her bankruptcy case and enter a discharge Order, in the above captioned case. Rules 5009 and 5010 of the Federal Rules of Bankruptcy Procedure.

NOTICE UNDER P.R. LBR 5010-1:

You are hereby notified that the debtor has filed a motion for the re-opening of her Chapter 7 case. Within twenty-one (21) days after service as evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 9006(f) if you were served by mail, any party against whom this paper has been served, or any other party to the action who objects to the relief sought herein, shall serve and file an objection or other appropriate response to this paper with the Clerk's office of the U.S. Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, the paper will be deemed unopposed and may be granted unless: (i) the requested relief is forbidden by law; (ii) the requested relief is against public policy; or (iii) in the opinion of the Court, the

interest of justice requires otherwise.

CERTIFICATE OF SERVICE

I **CERTIFY** that on this same date a copy of this motion was electronically filed using the CM/ECF system which will send notification of same to: Chapter 7 Trustee Wigberto Lugo Mender, Esq.,; US Trustee's Office, Monsita Lecaroz, Esq., Assistant US Trustee; and a via regular mail to Neysha Maryd Fonseca Rivera, Bda. Campamento, 34 calle A, Gurabo PR 00778, debtor in the above captioned case; and to all creditors and interested parties appearing in the master address list, hereby attached.

RESPECTFULLY SUBMITTED. In San Juan, Puerto Rico, this 30th day of September, 2014.

/s/Roberto Figueroa Carrasquillo
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0104-3
Case 13-07403-MCF7
District of Puerto Rico
Old San Juan
Tue Sep 30 09:47:29 AST 2014

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